

MEMORANDUM

October 17, 2006

TO: Ad Hoc Agricultural Policy Working Group

FROM: Marlene Michaelson, Senior Legislative Analyst
Jeff Zyontz, Legislative Attorney
Amanda Mihill, Legislative Analyst

SUBJECT: October 23, 2006 Meeting

Our next meeting is scheduled for October 23, 2006 from 4:00 p.m. to 6:00 p.m. in Room A at the Upcounty Regional Services Center. Attached are additional background materials for this meeting. These include the following:

- An agenda.
- Minutes from the October 9 meeting. (Pages i.- iv.)
- The revised schedule for remaining meetings as agreed to as the last meeting (the revised schedule that assumes you will complete all work on pending legislation, child lots, and sand mounds on October 23...Page v.).
- Two Staff policy papers: one dealing with pending legislation (Pages © 1 – 4) and the other addressing the follow-up issues on child lots previously identified by the Group (Pages © 5 - 18).
- Draft data regarding sand mounds – Groups member are looking at the “real potential” for lots in the RDT zone. Their research is suggesting that the number for new potential lots may be approximately 500. This is significantly lower than the potential previously discussed (Pages © 19 – 22).

For the Group’s discussion on Sand Mounds and Child Lots, you may wish to review or bring the Staff Policy Papers previously distributed to the Group. The full text of legislation is in your binder and is not repeated in this material.

AGENDA

AD HOC AGRICULTURAL POLICY WORKING GROUP

Monday, October 23, 2006
Upcounty Regional Services Center
4:00 to 6:00 p.m.

- 4:00 Approve Minutes
- 4:05 Review of pending legislation
- 4:35 Finalize recommendations on sand mounds
- 5:05 Review child lot recommendations and
 outstanding issues
- 5:55 Administrative/Calendar Issues
- 6:00 Adjourn

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AD HOC AGRICULTURAL POLICY WORKING GROUP MINUTES

Monday, October 9, 2006

4:05 P.M. to 5:57 P.M.

Up-County Regional Services Center Room A

PRESENT

Working Group Members

Scott Fosler, Vice-Chair	Wade Butler
Bo Carlisle	Margaret Chasson
Jim Clifford	Nancy Dacek
Jane Evans	Tom Hoffmann
Jim O'Connell	Michael Rubin
Drew Stabler	Billy Willard

Montgomery County and State Staff

Nancy Aldous, County Council	Jeremy Criss, County Department of Economic Development
Marlene Michaelson, County Council	Doug Tregoning, Montgomery County Cooperative Extension
Amanda White, County Council	Jeff Zyontz, County Council

ABSENT

Lib Tolbert, Chair	Robert Goldberg
Pam Saul	Wendy Perdue

GUESTS

Councilmember Mike Knapp	Jay Beatty, County Department of Permitting Services
Pamela Dunn, M-NCPPC	Sherry Kinikin, County Council
Mark Symborski, M-NCPPC	John Zawitoski, County Department of Economic Development
Andrea Arnold	Vince Berg
Sue Carter	Jane Hunter
Frank Jamison	David Tobin

The Group had before it the October 4, 2006 memorandum with attachments from Marlene Michaelson, Jeff Zyontz, and Amanda White.

The Group approved the minutes for the September 25, 2006 meeting with the following changes:

- Correct the spelling on Carol Fancoin to Carol Fanconi.
- On page 2, revise the third bullet to read: "At least 50% of the land *in a parcel* under the BLT easement must meet United States Department of Agriculture

(USDA) soil classification standards Class I, II, or III or Woodland Classifications 1 and 2 as required for State funding.

- On page 3, revise the first sentence of the first full paragraph to read: “The Group tentatively recommended identifying a septic field to be terminated in the County land records.”
- On page 3, add the following sentence at the end of the last bullet: “Other Group members felt strongly that if the County held a 5th TDR, that holding should not compete with the TDR market.”

The Group tentatively agreed to allow sand mounds for the following types of development:

1. Where there is an existing house and the sand mound would not result in the development of an additional house. Situations in which this may occur include where there is a failing septic system or the need to create a new reserve field for an existing home.
2. Allow the same number of sand mound as deep trench system percs approved by the Department of Permitting Services if it enables the property owner to better locate potential houses to preserve agriculture. The Group agreed that once a landowner uses a sand mound to relocate a house, the unused perc can not be used for an additional residential development. One Group member suggested that at a later date, design guidelines may not be voluntary, but this issue will be considered in a future and not addressed by the Group
3. For child lots, provided the Group’s recommendation related to child lots are also adopted (e.g., ownership and residency requirement).
4. For tenant housing. To ensure that the tenant housing is for those who work on the farm and not built with the intention of reselling the house, create a new prohibition against separating property with tenant homes from the rest of the property.
5. Allow approved Sand Mound soil tests to proceed to construction. The Group discussed what “approved” meant and agreed to the proposition that if a landowner has already invested money in sand mound soil tests, the sand mounds should be allowed to proceed. The Group asked DEP staff to do further work to define the point at which a sand mound should be considered approved. To prevent a “land rush” of sand mound soil tests, the Group recommended that a landowner must have invested resources by October 9 in order to qualify for a sand mound under this specific section.

The Group discussed at length two alternative proposals related to the number of sand mounds that should be allowed:

- 1) whether to allow sand mounds for a minor subdivision (defined as five or fewer housing lots – parcels of 125 acres would may be able to achieve a density of 1 house for every 25 acres provided they have suitable sand mound locations – parcels 150 acres or greater could not use sand mounds to achieve more than 5 houses regardless of their size);
- 2) whether to allow sand mounds for minor subdivision plus additional houses at a rate not to exceed 1 house for every 50 acres (for parcel less than 149 acres this alternative is the same as the first alternative; however, for parcels above 175 acres

additional houses would be allowed – the 175 acre parcel could have 6 houses; a 225 acre parcel could have 7 house etc.).

Group members had the following additional comments regarding sand mounds:

1. Some Group members strongly felt that allowing sand mounds was a “windfall” that was unanticipated by the Ag. Master Plan. There was full knowledge at the time the Ag. Plan was adopted that because of soil conditions, 1 per 25 could not be achieved. Further, landowner equity does not have to be addressed through houses and buildings. The ability to sell any TDRs was itself, is a means of providing equity without allowing housing construction and preventing the undesirable fragmentation of farmland.
2. Other Group members felt that property owners are entitled to one unit per 25 acres and that sand mounds are only facilitating what is allowed by law. The Council made a decision not to zone RDT at a density of 1 house for every 50 acres, which they could have done if that was their intent.
3. One Group member felt strongly that the Group’s discussion and allowance of sand mounds would invite commercial developers to use them whenever possible. This Group member felt that the way to reduce rooftops in the Agricultural Reserve is through an aggressive building lot termination (BLT) program.
4. Some Group members thought that design standards offered a mean to permit zoning density without significant fragmentation. The use could be expressed in terms of the amount of land usable for farm purposes.
5. Some Group members opposed allowing 5 sand mounds by right, other supported allowing sand mounds for minor subdivisions, but no more than 5 (i.e., not allowing 1 sand mound per 50 acres in addition to the first 5 sand mounds for properties greater than 150 acres), other supported the alternative proposal that would have allowed sand mounds for minor subdivisions and 1 sand mound per 50 acres for all acreage above 150 acres.
6. One member indicated that he did not believe there would be support for any proposal that decreased the potential number of sand mounds by a very small and therefore insignificant amount.

No group decision was reached on the issue of sand mounds and the Group to decided to have a final conversation on this issue at the next meeting. Additional alternatives may be brought forward by group members.

The Group discussed the list of potential follow-up issues and had the following comments:

- Several Group members suggested that the list of TDR questions necessitated a Group meeting devoted to the TDR program.
- One Group member suggested the focus of the easement issue (question #8) should be folded into the TDR discussion.
- One Group member suggested combining the discussion about the extent of special exceptions allowed in the rural density transfer (RDT) zone (question #1) and the discussion of how new development standards in the RDT zone may be necessary (question #2).

- One Group members strongly suggested that a future group addresses issues surrounding the use of tenant houses in the Agricultural Reserve.

The Group agreed to revise the meeting schedule as follows:

October 23	Child lots; sand mounds; review of pending legislation
November 6	Transferable development rights (TDRs); wrap-up of any unresolved issues and conflicting recommendations/reconsideration of principles
November 20	Small groups consider preliminary draft of Final Report
December 11	Final full Group meeting to consider final draft of Final Report
December 18	Hold for additional meeting to consider final draft of Final Report if needed
December 22	Distribution of Final Report to full Group for members to submit comments of dissent, reservation, or clarification
January 12	Distribution of Group member comments of dissent, reservation, or clarification to full Group for possible association by other Group members
January 19	Submission of Final Report to County Council

One Group member requested the Office of the County Attorney review the Group recommendations.

Minutes written by Amanda White, Legislative Analyst

STAFF POLICY PAPER

PENDING LEGISLATION

Draft Date: October 17, 2006

ISSUE: Should the Council continue considering enacting several pieces of legislation related to the Agricultural Reserve?

Although the Group was charged with considering pending legislation, Staff has provided a summary here of recently adopted legislation as background information. All recently approved and pending legislation is in the binder in the “Legislative” section. Staff notes that all pending zoning text amendments (ZTAs) expire on October 31 in an election year and therefore any pending ZTA that the Group supports would need to be introduced by the new Council.

RECENTLY ADOPTED LEGISLATION (2003 through 2006 in order of adoption)

Private Educational Institutions. On July 1, 2003 the uses allowed in the RDT were amended to include private educational institutions for persons with disabilities as a special exception use on a site previously used for this purpose. The special exception was limited to 75 enrolled students. Boarding the students on the site was prohibited; however, a residence for a caretaker was permitted. (ZTA 15-08 Legislative tab in binder © 15 – 18)

Definition of Agricultural. On March 14, 2004 the term “agricultural” was redefined in the subdivision code. The new definition included equestrian uses. Agricultural uses were exempted from the regular requirement to plat before sale or building. (SRA 03-01 Legislative tab in binder © 19 – 23)

Staff Comment: The definition of agriculture needs to change with the industry. There is a list of permitted uses associated with the RDT zone. That list continues to be redefined. The most current points of interest are: 1) the ability to build summer camps as a “day care” use, and 2) recreational activities falling into the category of “private club” category.

Public Water and Sewer for Institutional Uses. On November 29, 2005 the Council adopted a change to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan to exclude RDT zoned property from a provision that allowed the extension of public water and sewer services for private institutional facilities (PIFs). All future PIFs in the RDT zone are limited to the use of private sewerage treatment systems. (Resolution 15-1234, Legislative tab in binder © 1 -5)

Staff Comment: There is no limit to the size of a PIF in the RDT when public sewer service is provided to the site. The change in policy responded to the increasing number of PIF requests, their tendency to cluster at the edge of the public sewer service area, and the threat to the sustainability of farming and water quality in the RDT zone by the larger size PIFs. Further action on this issue is not being pursued by any public agency.

Multi-Use Systems. On February 14, 2006 private multi-use sewerage disposal systems for non-agricultural uses in the RDT zone were limited to 600 gallons per day for every housing unit that could be constructed on the property but no more than 4,999 gallons regardless of the number of houses that could be constructed. (Resolution 15-1343, Legislative tab in binder © 6 -9)

Staff Comment: The change in policy responded to the size of PIFs and the threat large PIFs represent to the sustainability of farming and water quality. This resolution addressed the concern that in the absence of public sewer, PIFs would use multi-use systems to the maximum extent permitted. On a practical basis, the maximum size multi-use system creates an upper limit on the maximum total size of structures allowed.

PENDING LEGISLATION

TDR easement restriction. ZTA 05-23 was introduced on December 13, 2005 to require TDR easements to limit future development of non-residential and non-agricultural uses (hereafter “non-agricultural” is intended to mean all uses except resident and agricultural uses). In addition, the amendment would not permit a property developed with a non-agricultural use from creating TDRs. (ZTA 05-23 Legislative tab in binder © 36 - 40)

The legislation as introduced would have different impacts depending upon the existing situation of the parcel:

- 1) TDRs previously created with or without a non-agricultural use on parcel -

These parcels would be unaffected by ZTA 05-23. There is no retroactive power that changes a previously recorded easement in the land records.

- 2) A non-agricultural use on the parcel and no TDRs created -

The owner of this parcel will be barred from creating TDRs.

- 3) No non-agricultural uses on the parcel and no TDRs created -

These owners have a choice. They may either have non-agricultural improvements or create TDRs. The limit on the size of the non-agricultural use is imposed by the size of the multi-use septic system required. The number of TDRs that might be created by the underlying parcel has no impact on the size of the non-agricultural structure.

Staff Comment: This legislation was proposed BEFORE the adoption of the limit on multi-use systems. That legislation may lessen the need for this proposal. There are two separate ideas in this bill: 1) a change to the easements recorded to create TDRs, and 2) a prohibition on creating TDRs when a non-agricultural use exists. The first idea is a caution on future action. The second idea can be viewed as a restriction due to past actions. The Council could ultimately choose to favor one, both, or neither of the separate ideas.

Individual land owners will have to determine the combined affects of this bill with the limits on multi-use septic systems. As proposed, smaller parcels that create fewer TDRs will find the option of developing non-agricultural uses more appealing than larger parcels. The larger parcels “lose” there ability to sell more TDRs. The choice between non-agricultural uses and the benefits of TDRs would be more competitive if the number of TDRs “used” by non-agricultural development was related to the number of TDRs that could be used on the site. In order words for every “buildable” TDR retained with the site, the owner could build X number of square feet of non-agricultural structures. Such a provision would prevent a property owner from placing a relatively large non-agricultural use (such as a PIF) on a small property. Such a provision would also complicate the bill.

Impervious Surface Limit the RDT, RC, RE-2 and RE-1 zones. This ZTA would limit all impervious surfaces that are not related to agriculture to 15% of an RDT parcel and 20% in the RC, RE-2 and RE-1 zone. Impervious surface includes buildings, decks, patios, parking areas and all paved surfaces such as driveways, roads, sidewalks, tennis courts, and basketball courts. Stream quality is affected by the percentage of impervious surface in any given drainage area. Reduced stream quality is the likely outcome of impervious surfaces above 10%. This legislation was first introduced in December of 2004 as ZTA 04-27 (Legislative tab in binder © 24 -29). That ZTA lapsed but was reintroduced as ZTA 05-15 in October of 2005 (Legislative tab in binder © 30 – 35).

Staff comment: This ZTA was introduced before the change to the Ten Year Water and Sewerage Plan to stop the extension of public sewer in the RDT zone. That change combined with the limit on multi-use sewerage system eliminates the need for this ZTA. This ZTA no longer has a public sponsor.

Temporary Prohibition on Sand Mounds. This bill, introduced as an expedited bill on November 8, 2005, would temporarily prohibit the use of mound systems or any innovative or alternative individual septic systems for new construction until July 31, 2006. (Legislative tab in binder © 13 – 14)

Staff comment: This bill was challenged by the County Attorney’s office as being preempted by the State of Maryland. The time period of the temporary moratorium has passed and no action is scheduled.

Public Sale of Development Rights. This is an **expired** bill that was introduced on November 9, 2004 for the purpose of authorizing the sale of TDRs owned by the County. The purpose of such a sale was to “provide the opportunity for buyers to gain access to development rights when privately-owned development rights are not available.” (Legislative tab in binder © 10 – 12)

Staff comment: There are no public advocates or sponsors calling for the reintroduction of this legislation. Statistics indicate a shortage of TDR receiving areas. Increasing the available supply of TDRs could reduce the price that private parties receive for TDRs.

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STAFF POLICY PAPER
FOLLOW-UP ISSUES ON CHILD LOTS
Draft Date: October 16, 2006

On June 26, 2006 the Group met to discuss Child Lots. The Group reached consensus on several issues, but noted that all decisions were tentative and should be revisited. The Group also identified a few issues that required further discussion. This paper presents a summary of tentative recommendations and a discussion of issues the Group wanted to discuss further

SUMMARY OF TENTATIVE GROUP RECOMMENDATIONS

Tentative decisions are summarized below and described in greater detail in the minutes for the June 26 meeting. The abbreviated summary presented below does not include options the Group discussed and rejected.

1. Support the continued use of child lots for **all** property owners in the Agricultural Reserve (the ability to have a child lot should not depend on whether the land is in agricultural production).
2. Clarify existing legislation, which **does not provide clear guidance** as to whether the child lots are in addition to, or included in, the allowed density.
3. Support the Planning Board's historic interpretation that the maximum density of subdivisions with child lots should be one lot per child **in addition to** the density allowed in the RDT zone (one dwelling unit per 25 acres).
4. Ensure that the child of the property owner owns and/or occupies the child lot (see follow-up issue below regarding ownership versus residency requirement).
5. Codify the Planning Board practice of requiring a property owner to submit an affidavit at subdivision stating that the child lot is to be used by the child and formalize the recent efforts to check at building permit that the property owner's child is using the lot. Some group members also recommended requiring a Title search at the time of subdivision to check for public and private easement and ownership.
6. Require that a child own the child lot for 5 years. (Some Group members felt that if a housing structure is already on the property, the child must live in the housing structure for 5 years. These Group members also felt that if the lot is vacant and a house is later built on the lot, it must be for a child. Some Group members felt that the 5 year requirement should not begin until a child is 18 years old.)
7. Clarify that a landowner may only create one child lot for each child even if a landowner owns multiple properties.

Additional Issues to Consider

Public Water for Child Lots

After the Group was formed, the Council received a request for a Water Category Change to allow a child lot in the RDT zone to receive public water. The Council deferred action on this request and asked the Group to consider it.

Problem Statement

The Comprehensive Ten Year Water and Sewer Plan is inconsistent with the Master Plan for the Preservation of Agriculture as to whether child lots should be allowed to have public water. When a request for an extension of water service for a child lot in the RDT zone came before the Council, the Transportation and Environment (T&E) Committee deferred action and asked the Working Group to comment on this issue.

Relevant Documents

The Master Plan for the Preservation of Agriculture does **not** recommend extending public water service into the RDT zoned area:

“Deny public water and sewer service to areas designated for agricultural preservation that utilize the Rural Density Transfer Zone (RDT).”

In 1999, the County Council adopted a comprehensive update of the Ten-Year Water and Sewer Plan that included, for the first time, a policy allowing for the consideration of providing public water service for child lots. The 2003 update of the Plan (Chapter 1, Section II.E.9) states:

“Community [public] water service may be provided to support the subdivision of lots for the children of owners of qualifying properties. Montgomery County’s zoning and subdivision regulations make special provisions for the creation of these lots which are generally located in the more rural areas of the county, primarily in the Rural Cluster, Rural and Rural Density Transfer Zones. The size of the lots to be considered for service under this policy is intended to be in the range of those included in the water service for large lot provisions in Section II.D.1.: between 1 and 5 acres. ... Water service in these cases is generally intended to be provided from abutting water mains, although water main extensions can be considered where those extensions are consistent with the requirements for large lot development, as previously cited. The provision of community service under this policy shall not be used as justification for the connection of intervening or nearly lots or parcels if they would not otherwise be entitled to connect to community systems.”

Department of Environmental Protection (DEP) staff developed the policy for the 1999 Plan update in response to the County Council’s action in May 1999 approving a water category change for a parcel and a child lot in the RDT Zone along Kemptown Road near Damascus. In this case, an abutting water main was available to serve these properties. Since the inclusion of the policy in the Water and Sewer Plan, DEP has addressed only two category change requests under its provisions: a request approved in 2001 for several child lots on a parcel zoned Rural Cluster on Batson Road near Spencerville, and the request recently deferred by the Council for the RDT-zoned properties on Bethesda Church Road west of Damascus.

Impact of Policy

The advantages of the policy presented in the Comprehensive Ten Year Water and Sewer Plan include that it allows a property owner adjacent to a water line to take advantage of the existing of the line and availability of public water. DEP staff have also stated that there can be a water quality benefit to adding homes to public water lines in more remote locations, such as where existing water mains terminate in the RDT Zone. An increase in water demand, and the resulting greater flow in these mains, can help to improve water quality for the customer by reducing the amount of time that treated water sits unused in the system. The use of public water service instead of an on-site well may also provide for better flexibility in siting septic systems, which must be located at least 100 feet from and usually upgrade of wells.

One potential disadvantages of a policy to allow public water in the RDT zone is that it could increase the number of lots in cases where it is not possible to locate a well on a site and the availability of public water leads results in a buildable lot. On site constraints (such as excessive slopes, marginally suitable soils, adjacent wells, etc.) can make it difficult to locate both a well and a septic system on a particular piece of property. The portion of the RDT zone served by public water lines is limited (see map attached on © 14) and DEP believes that the number of circumstances in which the availability of public water alone could create new potential for a buildable lot are limited.

Another impact is that properties that receive public water are no longer eligible for state easement programs or the BLT program as tentatively recommended by the Group. This could increase the appeal of residential development (at 1 unit per 25 acres) over preservation through an easement program.

ALTERNATIVES TO ADDRESS THE PROBLEM

Staff has identified 3 options for the Groups' consideration:

1. Confirm the existing language in the Ten Year Water and Sewer Plan that allows public water service to be provided
2. Amend the Ten Year Water and Sewer Plan to prohibit the provision of public water to child lots
3. Amend the existing language in the Ten Year Water and Sewer Plan to limit the circumstances in which public water is provided. Potential limitations include the following:
 - Only when the child lot can be served from an existing, abutting water main and service to the property would not provide the opportunity for service to other RDT properties.
 - Only when there is an existing home served by a well or a proposed home that could otherwise be served by a well (so that the policy does not increase the number of houses possible in the Agricultural Reserve).
 - Only when public water service can be provided in a manner that would not prevent the future application for a State or County easement for farmland preservation (e.g., if public water is provided on the edge of a lot and would not jeopardize application for the rest of the property.)

OTHER CHILD LOT ISSUES IDENTIFIED BY THE GROUP

The Group identified the following issues to be revisited at a later meeting. Each is addressed below:

- Whether a child must own and occupy the child lot or whether ownership should be the only requirement and whether it is feasible for the County government to enforce an occupancy requirement.
- Whether a child lot can be created after the death of a farmer who qualifies for the program.
- Whether there should be special requirements or limits related to **small parcels**.
- Whether there should be a limit on the maximum size of a child lot.

Requiring Ownership versus Occupancy

The Group discussed at length the need to ensure that child lots are for the benefit of children who will live in the house. The Planning Board currently requires that a property owner sign an affidavit indicating that any lot created is for their child or the spouse of a child. An affidavit is also required at record plat confirming that the building will be for the **use** of the children of the spouse of the children of the landowner.¹ These measures may not be enough to ensure that the property is occupied by a child and the Group wanted to consider how to enhance County efforts to monitor and enforce this requirement. Monitoring occupancy is far more difficult than monitoring ownership but could be important if there is a concern that the child of a property owner will take ownership but then rent their properties to other. Staff does not have any data to suggest how likely this may be.

Enhancing Efforts to Ensure Ownership

1) Notice – in the land records and to the child lot owner

It would possible to enhance the existing efforts to verify ownership by the child of a property owner. Ownership is an issue for the County's Moderately Priced Dwelling Unit (MPDU) program (the price on sale is controlled for 30 years from the date of purchase and renting is prohibited). Before any MPDUs are sold, a covenant is recorded in the land record to alert future land owners (and title companies) of the restrictions on the property. For any reasonable diligent title company, the covenant would prevent an improper sale (See © 15). The covenant also provides for notice on all deeds future and mortgages filed within the controlled period of time. In addition to the covenant created at the time the lot is platted, MPDU owners are required to sign a purchaser agreement that repeat the restriction on the covenant (See © 18).

2) Penalties

¹ As noted in the prior Staff memorandum on child lots, the definition of use in the Zoning Ordinance does not require occupancy.

Even the covenants and signed purchase agreements have not prevented all “prohibited” sales or rentals in the MPDU program. The incentive for such transactions can be eliminated by high penalties. High penalty provisions, in the event of a prohibited sale, can be required for child lots in a type of “purchaser agreement” and a covenant.

Monitoring Occupancy

Monitoring occupancy is more difficult than monitoring ownership. To Staff’s knowledge, there is only one County program that requires occupancy: the County’s MPDU program. In the MPDU program, when someone purchases an MPDU unit, that person is required to occupy the unit for as long as they own it. (The program also has various requirements related to ownership.) The County Department of Housing and Community Affairs (DHCA) implements the MPDU program and enforces the occupancy requirement in the following ways:

- The purchaser signs an agreement when buying the MPDU agreeing to the ownership and occupancy requirement (attached at © 18);
- DHCA inspections;
- Tips from neighbors; and
- Periodically checking newspaper ads.

As noted above, an ownership requirement could be enforced by legal requirements that are considered by potential purchasers/ financiers during a real estate transaction. If the Group wishes to adopt an **occupancy** requirement, Council staff has identified three enforcement options for the Group’s consideration:

(1) By Complaint Only

Under this option, the owners of the child lots would be on the “honor system” to occupy the child lot for the duration of the required period. The agency monitoring occupancy would only follow-up when/if complaints are received.

Advantages

- Would have limited administrative any staff costs.
- Is appropriate if one assume that most children of Agricultural Reserve property owners would not want to become landlords and rent their property.

Disadvantages

- May be problematic if home rentals in the Agricultural Reserve become popular.
- Provides the least assurance of actual occupancy.

(2) DHCA Model

This option would provide limited enforcement mechanisms similar to DHCA’s MPDU enforcement procedures. Mechanisms could include periodic checking of newspapers, periodic checking of utility bill, etc.

Advantages

- Provides some assurance that there will not be any misuse of the child lot provision.
- Would not require as much County staff costs as a complete investigation/inspection program.

Disadvantages

- Does not provide complete assurance that there will not be any misuse of the child lot provision.

(3) Investigation/Inspection

This option provides for regular investigations/inspections to determine that the child of the property owner is occupying the child lot.

Advantages

- Provides the most assurance that the child will occupy the child lot.

Disadvantages

- Could be difficult to design and administer a program that verifies occupancy.
- Would be expensive since it is likely to be labor intensive.
- Unless one assumes that rental of child lot properties is likely, the results of this effort may not justify the costs.

Creation of a Child Lot after Death of the Property Owner

The Group began to discuss whether a child lot could be created after the death of a property owner. This question is particularly relevant if the owner experiences a sudden death before he/she has the opportunity to create a child lot. Issues the Group may want to consider (or recommend be considered in the future) include the following if allowing child lots created after death is recommended:

- Should there be a requirement for some written indication of the owner's intent to create a child lot in the future in a will or other document (e.g. a notarized letter)?
- Should there be a time limit (i.e., that the child lot be created within X years after the owners death or once the child turns a certain age)?

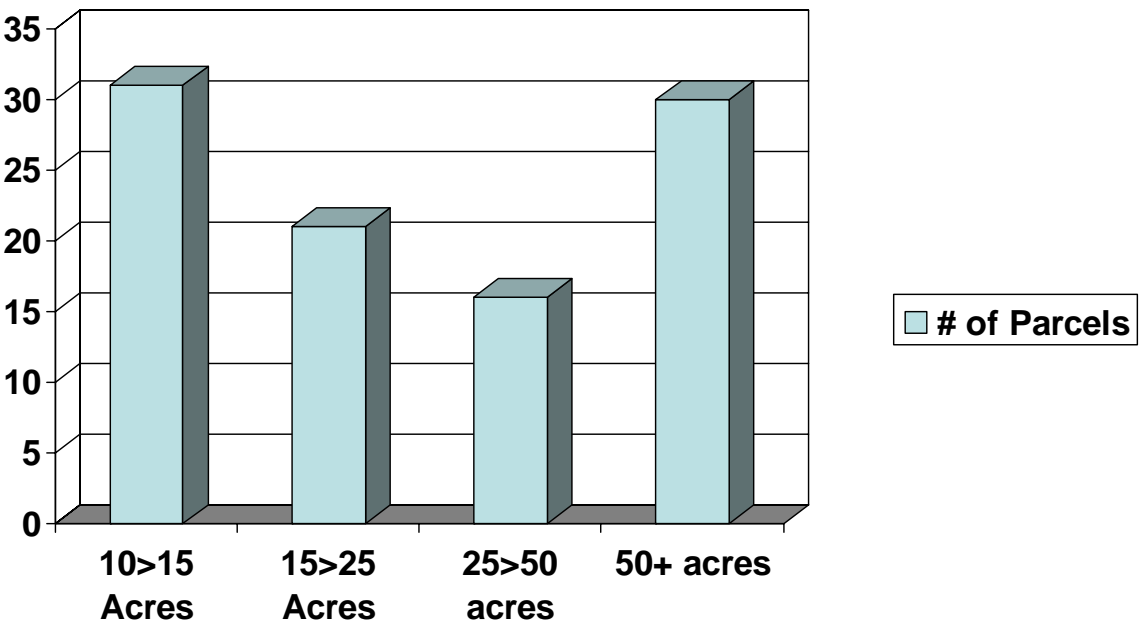
Options for Child lots on Small Properties

While the Group unanimously (among those present for the discussion) supported allowing child lots in addition to one home per 25 acres, some members felt that this could be a problem on small lots, particularly if the property owner has a significant number of children. Staff was asked to consider different options for addressing this issue. Some options are described below. (Staff has assumed for the analysis that follows that a small lot would be defined as one 50 acres or less.)

1. Allow child lots in addition to 1 house for every 25 acres

As staff previously indicated, the total number of potential child lots is limited; the number of situations in which there would be a significant number of children on small lots would be further limited. There are 68 properties that are less than 50 acres and eligible for child lots. Another 30 parcels have more than 50 acres.

Size Distribution of Parcels
with a Potential for Child Lots



Assuming each property owner has two children, the total number additional child lots will be less than 200 (98 child lot eligible parcels times 2). The average number of child lots created for those properties that have sought child lots is two. On a countywide basis, of single family detached housing units:

- 47% have one or two children (living at home without regard to the age of the child);
- 12% have two children;
- 3% have more than three children; and

41% have no children.

One might assume that 8 of the 68 child lot eligible properties with less than 50 acres may have more than two children (68 times 12%) and 28 of those parcels have no children (68 times 41%). (Countywide statistics yields 1.6 children per household on average. Statistics for houses only on RDT zoned land are not available. More localized data may be available for the October 24 meeting. RDT parcels may be more likely to have children than all other single family detached households.)

Given the limited situations in which this will be a problem, one option is to not create any special provisions for child lots on small properties.

2. Limit density

Under this option child lots would be allowed up to the number of children provided that the average density with child lots does not fall beneath a certain amount (e.g. 1 unit per 20 acres, 1 unit per 15 acres, etc.). This option would acknowledge that child lots may increase density but would cap the increase. Depending on the size of the lot and the cap on density, this option could result in fewer child lots for small properties. The impact of this option on the total number of houses assuming 25 and 50 acre parcels and different numbers of children is shown below.

Number of Houses Including Market Rate Units with Different Density Requirements.

	25 acres – 2 kids	25 acres – 3 kids	25 acres – 4 kids	25 acres – 5 kids	50 acres – 2 kids	50 acres – 3 kids	50 acres- 4 kids	50 acres- 5 kids
Same policy as for large lots (no change)	3	4	5	5	4	5	6	7
Average density no lower than 20 units per acre	1	1	1	1	2	2	2	2
Average density no lower than 15 units per acre	1	1	1	1	3	3	3	3
Average density no lower than 10 units per acre	2	2	2	2	4	5	5	5

3. Require Preservation of Land for Agriculture

Under this option, a certain percentage of the property is preserved for agriculture (e.g., 80% - which would translate to 20 acres out of each 25 acres). In some situations, this could limit the number of obtainable child lots; in most of examples shown below it would allow the same number of units but would limit the size and location of the lot. Given existing zoning requirements, the child lot could not be less than 1 acre in size and the overall density could be no greater than one house per 5 acres. Even if the number of child lots would not be different than that allowed under the existing practice, this option would ensure that a majority of the property would be preserved for agriculture.

The chart below shows the total number of developable acres and the total number of houses allowed with different requirements to preserve a certain percentage of the site as contiguous farmland. While requiring 90 percent of the site to be preserved as farmland limits the number of potential child lots on small parcels, requiring 70 or 80 percent of the site to be kept as contiguous farmland results in the exact same number of potential child lots, but limits the size the lots.

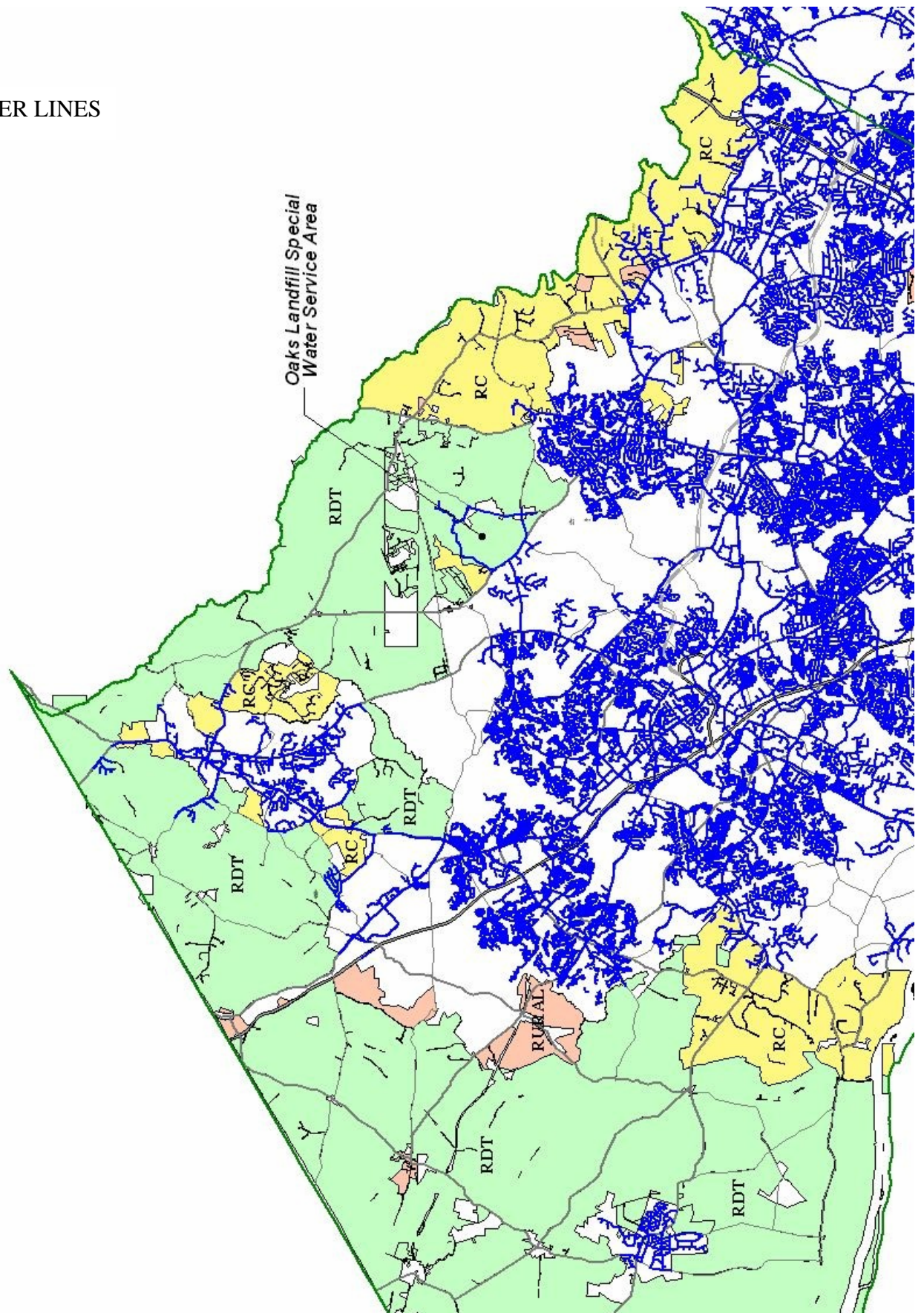
Number of Houses Including Market Rate Units with Farmland Preservation Requirements

		25 acres – 2 kids	25 acres – 3 kids	25 acres – 4 kids	25 acres – 5 kids	50 acres – 2 kids	50 acres – 3 kids	50 acres – 4 kids	50 acres- 5 kids
No Change	# of houses*	3	4	5	5	4	5	6	7
Preserve 90% as farmland	Developable Acres	2.5 acres	2.5 acres	2.5 acres	2.5 acres	5 acres	5 acres	5 acres	5 acres
	# of houses*	2	2	2	2	4	5	5	5
Preserve 80% as farmland	Developable Acres	5 acres	5 acres	5 acres	5 acres	10 acres	10 acres	10 acres	10 acres
	# of houses*	3	4	5	5	4	5	6	7
Preserve 70% as farmland	Developable Acres	7.5 acres	7.5 acres	7.5 acres	7.5 acres	15 acres	15 acres	15 acres	15 acres
	# of houses*	3	4	5	5	4	5	6	7

Notes: Calculations include 1 market lot on 25 acres and 2 market lots on 50 acres.

* Assumes continuation of minimum lot size of 1 acre.

WATER LINES



Limit on Size of Child Lot

The Group had a very brief discussion on whether there should be limit on the size of child lots and asked to discuss this issue further. Staff is not clear what the intent was of the Group member who suggested this as an option to consider and hopes that person can address it at the meeting. If the intent is to try to preserve as much farmland as possible, then the option presented above to preserve a certain percentage of a property as farmland and limit the developable area may accomplish this objective.

f:\land use\agriculture\child lots\2nd staff policy paper - 2.doc

Subdivision Name:

MODERATELY PRICED DWELLING UNITS
DECLARATION OF COVENANTS
FOR SALE SUBDIVISIONS

THIS DECLARATION OF COVENANTS, made this ___ day of
___, 20 __, hereinafter set forth by _____ owner (hereinafter referred to as
"Declarant").

NOW, THEREFORE, Declarant hereby declares that all of the properties described
hereinafter shall be held, sold and conveyed subject to the following covenants, conditions, and
restrictions:

ARTICLE I

Declarant is the owner of all of the property set forth and described in the list attached hereto
and made a part hereof as Exhibit A. The properties are the subject of this Declaration of Covenants,
and are hereinafter referred to as the Moderately Priced Dwelling Units (MPDUs).

ARTICLE II

For a period of thirty years beginning on the date of recordation of the deed from the Declarant
to the initial purchaser of an MPDU, or such other period as established by law, (the "Control Period"),
the MPDUs and the improvements thereon and those that may subsequently be made to the MPDUs
must not be sold or the mortgage or deed of trust note refinanced for an amount in excess of the
maximum sales price established in accordance with Chapter 25A of the Montgomery County Code,
2004, as amended, and all applicable Executive Regulations.
Closing costs, improvements and brokerage fees are defined and assessed in accordance with the terms
of Chapter 25A and regulations adopted pursuant thereto. The resale price calculation for the MPDUs
will be made in accordance with the change in the cost of living as measured by the Consumer Price
Index (CPI-U for the Washington Metropolitan Area) published by the U. S. Department of Labor. If an
MPDU is sold during the Control Period, the provisions contained in these covenants will be effective
for an additional thirty years from the date of the subsequent sale of an MPDU; further, the thirty year
Control Period will be renewed each and every time an MPDU is sold during the Control Period.
MPDUs offered for resale during the Control Period must first be offered exclusively for 60 days to the
Department of Housing and Community Affairs and to the Housing Opportunities Commission.

ARTICLE III

For the first sale of the MPDUs after the expiration of the Control Period referred to in Article,
II, the seller of the MPDU as a condition of transferring good title, must make a payment to the
Housing Initiative Fund in accordance with the provisions contained in Chapter 25A of the
Montgomery County Code, 2004, as amended, and all applicable Executive Regulations. After the
required payment has been received by the Montgomery County Department of Finance, the restrictions
contained in these Covenants will be released. The Housing Opportunities Commission of Montgomery
County and other housing development agencies or non-profit

corporations approved by the County Executive are exempt from this provision of the Covenants.

ARTICLE IV

Purchasers of an MPDU must occupy the MPDU as their primary residence during the Control Period. Purchasers of an MPDU, except for the Housing Opportunities Commission and other housing development agencies or non-profit corporations approved by the County Executive, are not permitted to lease or rent their MPDU to other parties during the Control Period. This restriction may be waived by the County to allow a temporary rental of the MPDU for good and sufficient cause. The MPDU must be rented in accordance with regulations established by the County Executive and Purchasers must receive prior written permission from the County to rent their MPDU temporarily. Purchasers will be required to extend the Control Period for a time equal to the length of time the MPDU is rented.

ARTICLE V

Declarant, its heirs, assigns, and successors, hereby irrevocably assigns, transfers, and conveys unto Montgomery County, Maryland all its right, title, interest, or obligation to enforce and maintain in full force and effect, the terms, conditions, and requirements of this Declaration of Covenants.

ARTICLE VI

The Declarant or Montgomery County, Maryland may enforce these Covenants by a proceeding, at law or in equity, against any person or persons violating or attempting to violate intentionally or otherwise, any covenant or restriction herein contained, either to restrain any violation hereof or to recover damages or monies, or to proceed against the land or the MPDUs to enforce any lien or obligation created by or resulting from these Covenants.

ARTICLE VII

These Covenants are binding upon the MPDUs, upon the Declarant and the MPDU Purchasers, upon the Declarant's and the MPDU Purchasers' heirs, successors, and assigns, and upon all transferees and transferors of the title to the MPDUs during the Control Period and until the fulfillment of all other provisions contained herein including the payment required to be made to the Housing Initiative Fund under Article III.

ARTICLE VIII

The original deed of conveyance from the Declarant, its heirs, assigns or successors, and all subsequent transfers, assignments, and deeds of conveyance out by subsequent Purchasers of the MPDU, must, during the term of these Covenants, be a two-party deed that contains conspicuous language specifically reciting that the MPDU is subject to these Covenants and the requirements of Chapter 25A of the Montgomery County Code, 2004, and referencing the date of recordation of these Covenants among the land records of Montgomery County, including the Liber and Folio. Notice must also be included in any contract of sale for an MPDU that fully and

completely discloses the rental and resale price restrictions and controls established herein. All subsequent Purchasers of an MPDU must likewise provide such notice in contracts of sale.

ARTICLE IX

These Covenants cannot be terminated without the written consent of the County, and except by the expiration of the Control Period defined in Article II, any extension of the Control Period described in Article IV, or a foreclosure sale as provided in Article X, and the Montgomery County Department of Finance's receipt of the proper payment to the Housing Initiative Fund provided in Article III. After receiving the appropriate payment for the Housing Initiative Fund, a termination statement, executed by the County Executive of Montgomery County will be recorded among the land records of Montgomery County, Maryland.

ARTICLE X

If the MPDU is sold at a foreclosure sale, the restrictions contained in the Covenants will be terminated after the County receives the payment required to be made to the Housing Initiative Fund in accordance with the provisions of Chapter 25A of the Montgomery County Code, 2004, as amended, and all applicable Executive Regulations.

ARTICLE XI

If any default occurs and is continuing, the County may apply to any state or federal court having jurisdiction for specific performance of the Declaration of Covenants, for an injunction against any violation of this Declaration of Covenants, or for such other relief at law or equity as may be appropriate and consistent with applicable requirements of the Declaration of Covenants. No remedy conferred upon or reserved to the County by this Declaration of Covenants is intended to be exclusive of any other available remedy or remedies, but each and every such remedy is cumulative and is in addition to every other remedy given under this Declaration of Covenants, existing at law or in equity. No delay or omission to exercise any right or power accruing upon any failure to perform under this Article will impair any such right or power or will be construed to be a waiver thereof. If, upon or after the occurrence of any default hereunder, the County incurs expenses for the enforcement or performance or observance of any obligation or agreement on the part of others contained herein, the County must be reimbursed upon demand by the party or parties for reasonable expenses paid to third parties.

ARTICLE XII

In the event any provision of this Declaration of Covenants shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision thereof.

JURATS APPEAR ON FOLLOWING PAGE

(jj)

Montgomery County, Maryland
**MODERATELY PRICED
DWELLING UNIT (MPDU) PROGRAM**

DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS
100 Maryland Avenue, Fourth Floor, Rockville, Maryland 20850.240-777-3600 TrY: 240-
777-3679. Website: www.montgomerycountymd.gov/mvdu

EQUAL HOUSING
OPPORTUNITY

PURCHASER'S AGREEMENT

Instructions: Purchaser(s) must complete Sections 1 and 3 and affix their signature(s) and Social Security Number(s) in Section 4. Developer/Builder must complete Sections 2 and 5.

1. PURCHASER

Name

Present Address

Address

Date of Purchase

2. DEVELOPER/BUILDER

Name

Name of Subdivision

Lot/Block

Purchase Price

3. MODERATELY PRICED DWELLING UNIT ADDRESS

4. (a) I/We, the undersigned, as the purchaser(s) of the Moderately Priced Dwelling Unit (MPDU) identified above, do hereby certify that during the time that I/we own the MPDU, I/we will occupy it as my/our primary residence during the entire thirty (30) year control period and I am/we are aware that under Section 25A-8(a)(6) of the Montgomery County Code, 2004, as amended (Code) if I/we fail to occupy the MPDU as a primary residence, the Director of the Department of Housing and Community Affairs (OHCA) may require that the MPDU be offered for sale to a person eligible to purchase an MPDU under Chapter 25A of the Code. I am/we acknowledge and agree that under Section 25A-8(a)(7) of the Code, I/we can not rent the MPDU except in limited circumstances and that if the MPDU is rented illegally, the Director of DHCA may take legal action to recover all rent collected.

(b) I/We, acknowledge that for a period of thirty (30) years from the date of settlement on the MPDU, the improvements herein conveyed with the MPDU, and those that may subsequently be made to the MPDU, must not be sold or refinanced for a price greater than that determined and approved by DHCA prior to such sale or refinance, in accordance with the MPDU Covenants, Section 25A-9(a) of the Code and the regulations promulgated thereunder.

(c) I/We, acknowledge and agree as a condition of participation in the Moderately Priced Housing Program, under Section 25A-9(c) of the Code, if the MPDU is sold before the end of the thirty (30) year control period, a new thirty year control period will commence; and, that I/we will be required, upon the first sale of the MPDU after the expiration of the thirty (30) year control period, to tender a payment to the County's Housing Initiative Fund in an amount equal of one half of the excess profit from the sale.

(d) I/We acknowledge and agree that I/we have received a copy of the recorded MPDU covenants and a copy of Chapter 25A of the Code.

(e) I/We certify that I/we have never owned an MPDU and that neither I/we nor any member of my/our household, has owned any residential property during the past 5 years.

SEAL _____
Purchaser's Signature

Social Security Number: _____
Date _____
REQ
UIR
ED

SEAL _____
Purchaser's Signature

Social Security Number: _____
Date _____
REQUIRED

5. Type of Unit: _____
Number of Bedrooms: _____
MPDU CONTROLS EXPIRE ON: _____
Date _____

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	A	B	C	O	E	F	G	I	J	K	M
6	ACRES	M_PLAN_NEW	LEGAL_DESC	Ad ress #	Adress Street	PREM_ T	PREM_CITY	Total New			net new
39		91Bennett	RESURVEY ON WILD CAT	24525	PEACH TREE	RD	CLARKSBURG		sand		
40		45Bennett	SAPLING RIDGE RICHLAND	24455	PEACH TREE	RD	CLARKSBURG		sand		
43		106Bennett	TIMBERS LAKE	25001	BURNT HILL	RD	CLARKSBURG		sand		
40		UU oolesville	KILMAIN NII;H I	IHUIb		KU		5 sana/aEEP	Improvea		4
50		94Poolesville	CHISWELLS ADD 4559421 5266-675	0	DARNESTOWN	RD		8 sand/deep			
OL		2001 Poolesville	FOREST	2U524	WHITES FERRY	RD	F	2 deep	improved		1
54		58Poolesville	FOREST	20500	WESTERLY	RD	POOLESVILLE				
55		130Poolesville	BLUE PLAINS 5301-818	0	CATTAIL	RD		5 sand/deep			5
56		366Lower Seneca	GRUBBY THICKET 4846-595	17000	DARNESTOWN	RD	BOYDS	14	sand/deep		14
57		34Poolesville	PT CARSBASKET 7840-133 5786-682	0	WILLARD	RD		1 sand mo			1
58		430Poolesville	PT CARS BASKET 5202-642	20900	OFFUTT	RD	POOLESVILLE	15	sand mo		15
59		282Martinsburg	4317-3154185-321 ACCORD CONCORD &	22422	WHITES FERRY	RD	DICKERSON	11	sand/deep	improved	11
60		124Lower Seneca									
61		162Lower Seneca	TRIBLE TROUBLE FOREST GROVE	16301	SUGARLAND	RD	GERMANTOWN	6	sand mo	improved	5
62		119Lower Seneca	LOCUST GROVE	16310	SUGARLAND	RD	POOLESVILLE	4	sand mo	improved	3
63		84Lower Seneca	LOCUST GROVE 206/113 278/102 CASE 11	15700	SUGARLAND	RD	POOLESVILLE	3	sand mo		3
64		158Poolesville	KILMAIN	21524	WHITES FERRY	RD	POOLESVILLE	6	sand/deep	improved	5
65		162Poolesville	PT CONCLUSION 2305-593	17911	RIVER	RD	POOLESVILLE	5	sand mo		5
66		226Lower Seneca	AIX LA CHAPPELLE GRUBBY THICKET 312	17951	WHITES FERRY	RD	POOLESVILLE	9	sand mo		9
67		257Poolesville	ADD TO PARTNERSHIP 2472-388	19410	FISHER	AVE	POOLESVILLE	10	sand mo		10
68		276Poolesville	POOLE RIGHT 2149-557	18501	WHITES FERRY	RD	POOLESVILLE	11	sand/deep		11
69		339Lower Seneca	GRANDMOTHERS DELIGHT 2305-593	17206	DARNESTOWN	RD	BOYDS	13	sand/deep		13
70		75Lower Seneca	GRANDMOTHERS GOOD WILL 2305-593	0	DARNESTOWN	RD		3	sand mo		3
71		365Poolesville	THOS DISCOVERY PT CONCLUSION 2305	17913	RIVER	RD	POOLESVILLE	14	sand/deep		14
72		276Poolesville	RES ON BRANDY ETC 3960-29	18501	WHITES FERRY	RD	POOLESVILLE	11	sand/deep		11
73		66Martinsburg	CONCORD & JOHNS DELIGHT	23720	WHITES FERRY	RD	DICKERSON	2	sand/deep		2
74		391Poolesville	MOUNT NEBO 1069/87 1874/424	14200	RIVER	RD	POOLESVILLE	15	sand mo	improved	1
75		231Martinsburg	KILMAIN	19245	MARTINSBURG	RD	DICKERSON	9	sand mo		9
76		88Poolesville	PARTNERSHIP	0	PARTNERSHIP	RD	POOLESVILLE	3	sand mo		3
77		249Lower Seneca	THOMAS DISCOVERY	15375	SUGARLAND	RD	POOLESVILLE	9	sand/deep	improved	8
78		81Poolesville	PARTNERSHIP	15225	PARTNERSHIP	RD	POOLESVILLE	3	sand/deep	improved	2
79		33Poolesville	BLUE PLAINS	18126	CATTAIL	RD		1	sand/deep		1
80		117Poolesville	WET LAND	0	WESTERLY	RD	POOLESVILLE	4	sand/deep		4
tl1		218Martinsburg	CIDER & VINEGAR	16200	EDWARDS FERRY	RD	POOLESVILLE	8	sand mo	improved	7
83		60Poolesville	MT PLEASANT	20900	WHITES FERRY	RD	POOLESVILLE	2	deep	improved	1
85		161Poolesville	POOLES RIGHT 5113-237	16000	PARTNERSHIP	RD	POOLESVILLE	6	sand/deep		6

	A	B	C	D	E	F	G	I	J	K	M
6	ACRES	M_PLAN_NEW	LEGAL_DESC	Adress #	Adress Street	PREM_T	PREM_CITY	Total New			net new
86	45	Martinsburg	WILSON BAD LUCK GATTONS GOOD LUC	19800	MARTINSBURG	RD		1 sand mo			1
88	312	Lower Seneca	RES ON DOG SPRING ETC	18191	DARNESTOWN	RD	POOLESVILLE	12 sand mo			12
91	45	Poolesville	SIMPSONS DWELLING PLACE	19301	BEALLSVILLE	RD		1 sand mo			1
92	80	Poolesville	DOUBLE DISTILLED BRANDY	15315	MT NEBO	RD	POOLESVILLE	3 sand/deep	improved		2
93	200	Poolesville	PT MT PLEASANT	20800	WHITES FERRY	RD	POOLESVILLE	7 sand/deep	improved		6
95	78	Poolesville	CHISWELLS INHERITANCE	18410	BEALLSVILLE	RD	POOLESVILLE	3 deep	improved		2
96	25	Martinsburg	RES ON KILMAIN	17800	EDWARDS FERRY	RD	POOLESVILLE	1 sand mo			1
98	170	Martinsburg	RES ON KILMAIN 4443/822 6500/165	21910	WHITES FERRY	RD	DICKERSON	6 sand/deep	improved		5
99	151	Poolesville	RES ON PT FOREST	20900	WESTERLY	RD	POOLESVILLE	6 sand/deep	improved		5
100	44	Poolesville	DIFFICULTY 2969/478	16660	WILLARD	RD		2 sand/deep			2
101	73	Lower Seneca	THOMAS DISCOVERY	15101	MONTEVIDEO	RD		2 sand mo			2
102	171	Poolesville	SIMPSON DWELLING PLACE	20520	HUNTER	RD	BEALLSVILLE	6 sand mo	improved		5
103	65	Martinsburg	KILMAIN ETC	22200	WHITES FERRY	RD	DICKERSON	1 deep	improved		0
104	z-tj	Poolesville	.ETC	20851	OFFUTT	IRD		11 sand/deep			11
106	73	Poolesville									
107	254	Martinsburg	GRANDMOTHERS GOODWILL 5260/299	17800	TRUNDLE	RD	DICKERSON	10 sand/deep	improved		9

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108	65	Poolesville	CHISWELL INHERITANCE	18400	RIVER	RD	POOLESVILLE	2 sand mo			2
109	190	Martinsburg	PAR 1 HILLS & DALES ETC 1436/2524963/	24301	RIVER	RD	DICKERSON	7 sand mo	improved		6
110	222	Poolesville	RES ON BLANTYR	0	OFFUTT	RD	POOLESVILLE	8 sand mo	improved		7
111	87	Poolesville									
112	54	Poolesville									
113	168	Martinsburg	WES 7022-124 ACCORD & CONCORD ETC	24009	WHITES FERRY	RD	DICKERSON	6 sand mo			6
114	138	Martinsburg	GATTONS GOOD LUCK	0	MARTINSBURG	RD	DICKERSON	5 sand/deep	improved		4
116	86	Poolesville	ADMIN 17864 JOSEPH DYSON FARM	14015	MONTEVIDEO	RD	POOLESVILLE	3 sand mo			3
117	121	Poolesville	WOODSTOCK 5185/337&341 5132/285549	14519	PARTNERSHIP	RD	POOLESVILLE	4 sand mo	improved		3
118	69	Poolesville	AIX LA CHAPPELL	18911	BEALLSVILLE	RD	BEALLSVILLE	2 deep	improved		1
120	134	Martinsburg	JOHNS DELIGHT & CONCORD 1004/26295	19161	WHITES FERRY	RD		4 sand mo			4
121	68	Poolesville	PT FRIENDSHIP AIX LA CHAPELLE 3915/7	18900	WHITES FERRY	RD	POOLESVILLE	2 sand mo			2
122	84	Poolesville	POOLESVILLE	20720	RIVER	RD	POOLESVILLE	3 sand mo			3
123	233	Poolesville	WOODSTOCK	14940	PARTNERSHIP	RD	POOLESVILLE	9 sand mo			9
124	102	Poolesville	PARTNERSHIP 5434-607	15950	WHITES FERRY	RD		4 sand/deep			4
125	23	Martinsburg									
126	314	Poolesville	STONE CASTLE 7474-583 6625-3116963	21111	WESTERLY	RD	POOLESVILLE	12 sand/deep	improved		unknown

127	121	Poolesville	PARTNERSHIP 6385/808	14710	SUGARLAND	RD	POOLESVILLE	4 sand mo	improved	3
128	69	Martinsburg	JOHNS DELIGHT CONCORD	23521	WHITES FERRY	RD,		2 sand mo		2



	A	B	C	D	E	F	G	I	J	K	M
6	ACRES	M PLAN NEW	LEGAL DESC	Adress #	Adress Street	PREM_T	PREM CITY	Total New			net new
129	58	Lower Seneca	WILLIAM & JOHN	17211	BLACK ROCK	RD	GERMANTOWN	2 deep		improved	1
134	164	Dickerson	COOL SPRING	23200	HARRIS	RD	DICKERSON	6 deep		improved	5
135	183	Dickerson	WOODSTOCK ELEVEN BROS	20401	DARNESTOWN	RD	DICKERSON	7 deep		improved	6
136	97	Dickerson	HOPEWELL	22730	MT EPHRAIM	RD	DICKERSON	3 deep			3
138	82	Dickerson	1986-307 MT ZION (NO Road Frnt)	19360	SELLMAN	RD		3 deep			3
139	34	Dickerson	MT ZION CONCLUSION	23100	HARRIS	RD	DICKERSON	1 sand mo			0
142	301	Dickerson	COOL SPRING ETC 27750/375 27750/382	23030	MT EPHRAIM	RD	DICKERSON	12 sand/deep		improved	11
144	76	Lower Seneca	WM & MARY THE MARY ETC	16915	DARNESTOWN	RD	BOYDS	3 sand mo		improved	2
146	67	Lower Seneca	RES ON HANOVER ETC	18015	MOORE	RD	DICKERSON	2 deep		improved	1
147	274	Lower Seneca	SUSANNA	17704	WHITE GROUND	RD	BOYDS	10 sand mo		improved	3
149	79	Dickerson	MOUNT CARMEL	21615	DARNESTOWN	RD		3 deep		improved	2
150	99	Lower Seneca	WOLFS COW ETC	16000	BARNESVILLE	RD	BOYDS	3 sand/deep			3
151	86	Dickerson	HAPPY CHOICE	16725	BARNESVILLE	RD	BOYDS	3 deep			3
152	39	Bennett	ROME	0	COMUS	RD	DICKERSON	1 deep			1
153	21	Bennett	WILSON DISCOVERY ETC	24950	COMUS	RD		1 deep			1
155	290	Dickerson	RESURVEY ON HANOVER ETC 5968-832	20311	BEALLSVILLE	RD	BEALLSVILLE	11 sand/deep		improved	10
156	23	Dickerson	RES ON HANOVER	20350	BEALLSVILLE	RD	BEALLSVILLE	1 sand mo			1
157	115	Bennett	AUTUMN JOY	24323	OLD HUNDRED	RD	DICKERSON	4 sand/deep		improved	3
160	111	Bennett	PASCHAL LAND	0	PEACH TREE	RD		4 sand/deep			4
161	77	Bennett	LABYRINTH	25115	OLD HUNDRED	RD	DICKERSON	3 sand/deep		improved	2
162	21	Lower Seneca	SUSANNAH ETC	0	DARNESTOWN	RD		1 sand mo			1
164	134	Bennett	LAKE VIEW	24315	OLD HUNDRED	RD	DICKERSON	5 deep		improved	4
166	124	Bennett	WARD INHERIT 4234/838 7866/396 CIVIL 6	25214	PEACH TREE	RD	CLARKSBURG	4 sand/deep		improved	3
167	189	Dickerson	BEALLS GOODWILL	19100	BARNESVILLE	RD	BARNESVILLE	7 deep		improved	6
172	84	Dickerson	HAPPY CHOICE	18001	SELLMAN	RD	DICKERSON	3 sand/deep			3
173	20	Dickerson	LIBERTY ETC NS OF RR	21650	SELLMAN	RD		1 sand/deep			1
175	129	Dickerson	MT ZION & WOODSTOCK	19305	BIG WOODS	RD		4 sand mo			4
177	206	Lower Seneca	WOLFES COW ETC	0	BUCKLODGE	RD		8 sand/deep			8
178	23	Bennett	PAR 1 WILSONS DISCOVERY LABYRINTH 0		OLD HUNDRED	RD		1 sand/deep			1
179	274	Dickerson									
181	83	Dickerson	MOUNTAIN VALE	17700	BARNESVILLE	RD	BARNESVILLE	3 deep		improved	2
182	141	Lower Seneca	RES ON WOLFS COW	17017	WHITES STORE	RD	BOYDS	5 sand/deep		improved	4
183	55	Lower Seneca	CONCLUSION & LOST BREECHES	0	OLD BALTIMORE	RD		2 deep		improved	1
184	75	Lower Seneca	WALLDENE	0	BUCKLODGE	RD	BOYDS	3 sand mo			1
185	190	Lower Seneca	FRIENDS APLENTY	18101	BUCKLODGE	RD	BOYDS	7 sand/deep		improved	6



	A	8	C	O	E	F	G	I	J	K	M
6	ACRES	M PLAN NEW	LEGAL DESC	Adress #	Adress Street	PREM_T	PREM_CITY	Total New			net new
234	50	Martinsburg	RES ON KILMAIN 4359-616 7405-762	17300	EDWARDS FERRY	RD	POOLESVILLE	1 deep	improved		0
235	138	Poolesville									
240	28	Martinsburg	WILLIAMS RESURVEY 4791/712	18211	TRUNDLE	RD		1 sand mo			0
241	116	Bennett	PASCHALL LAND ETC	24510	PEACH TREE	RD		4 sand /deep			4
243	172	Poolesville	DIFFICULTY	0	WILLARD	RD	POOLESVILLE	5 sand/deep			5
244	178	Poolesville	RES ON BLANTYNE FARM IN POOLESVILL	19815	RIVER	RD	POOLESVILLE	7 sand mo			7
245	32	Martinsburg	MTEDNOR	23000	MARTINSBURG	RD		1 sand mo			1
246	139	Bennett									
247	303	Poolesville	RES ON BRANDY ETC 5202-642	0	OFFUTT	RD	POOLESVILLE	0			0
248	196	Poolesville	CHROSBASKET BLANTYNE & SUGARLAN 0		OFFUTT	RD	POOLESVILLE	7 sand/deep			7
249	105	Poolesville									
251	29	Dickerson	WILSON DELAY	20601	HUNTER	RD	BEALLSVILLE	1 deep			1
253	53	Poolesville	CHISWELLS ADD	18401	CATTAIL	RD	POOLESVILLE				
257	77	Poolesville	FRIENDSHIP 5419-761	18420	WHITES FERRY	RD	POOLESVILLE	3 sand mo			3
259	55	Poolesville	CHISWELLS INHERITANCE	0	BEALLSVILLE	RD	BEALLSVILLE	2 sand/deep			2
1263	836	Lower Seneca	RES ON HANOVER & RES ON WOLFS COY	21121	BEALLSVILLE	RD	DICKERSON	33 sand/deep	improved		27
266	54	Poolesville	CHISWELL INHERITANCE	14421	RIVER	RD	POOLESVILLE	2 sand mo			2
270	73	Dickerson	NR DICKERSON & BEALLS GOOD WILL	22520	MT EPHRAIM	RD	DICKERSON	2 deep	improved		1
274	26	Poolesville	CHISWELLS INHERITANCE	19222	BEALLSVILLE	RD		1 sand/deep			1
275	27	Poolesville	CHISWELLS INHERITANCE 3361/216	19220	BEALLSVILLE	RD		1 sand/deep			1
276	57	Dickerson	ELSYIAN FIELD 5941/530 8100/29814225/30		COMUS	RD	DICKERSON	2 sand/deep			2
174	74	Poolesville	CHROSBASKET BLANTYNE & SUGARLAN	16300	WILLARD	RD	POOLESVILLE	2 sand/deep			2
284	28	Dickerson	WOODSTOCK	20431	HUNTER	RD	BEALLSVILLE	1 sand mo			1
286	118	Martinsburg	CIDER & VINEGAR	22777	CLUB HOLLOW	RD	DICKERSON	4 sand/deep	improved		3
287	357	Poolesville	KILMAIN ETC Tdr ease limits no more than 4	21131	WHITES FERRY	RD	POOLESVILLE	14 sand/deep	improved		3
290	120	Poolesville	KILMAIN	17805	WHITES FERRY	RD	POOLESVILLE	4 sand/deep			4
291	82	Lower Seneca	TRIPLE TROUBLE LOCUST GROVE 8093/7	15800	SUGARLAND	RD	POOLESVILLE	3 sand/deep			3
299	51	Poolesville	PT CARS BASKET 5786/682 7840/133 9970/ 0		WILLARD	RD	POOLESVILLE	2 sand mo			2
301	58	Poolesville	DOWDEN LUCK ETC	18511	BEALLSVILLE	RD	POOLESVILLE	2 deep	improved		1
303	52	Dickerson	ELEVEN BROTHERS 4301/405	0	DARNESTOWN	RD		1 sand/deep			1
304	34	Dickerson	ELEVEN BROTHERS	0	DARNESTOWN	RD		1 sand/deep			1
311	90	Dickerson	ELEVEN BROTHERS PT PAR 2 VERSAILLE 0		MARTINSBURG	RD	DICKERSON	1 sand deep	improved		0
312	78	Martinsburg	GOTTENS GOOD LUCK	19410	MARTINSBURG	RD	DICKERSON	3 deep	improved		2
314	105	Clarksburg	CONCLUSION & HOWARD CHOICE restrictic	23331	SLIDELL	RD	BOYDS	4 deep	improve		2
322	77	Dickerson	Unknown								

	A	B	C	D	E	F	G	I	J	K	M
6	ACRES	M_PLAN_NEW	LEGAL_DESC	Adress #	Adress Street	PREM_T	PREM_CITY	Total New			net new
325	35	Bennett	Unknown								
326	92	Bennett	Unknown								
327	28	Bennett	Unknown								
328	24	Martinsburg	Unknown								
329	26	Poolesville	Unknown								
330	43	Bennett	Unknown								
331								711			509



